

DETAILED ACTION

Claims 15-36, pending in this application, are subject to the following restriction/election requirement.

Election/Restrictions

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 15-20, 23-26, 30-31, and 34-35 drawn to a method for regulating plant growth by introducing into a plant a heterologous brassinosteroid glycosyltransferase.

Group II, claim(s) 15, 21-22, 27-34-35 drawn to a method for regulating plant growth comprising influencing activity of a brassinosteroid specific glycosyltransferase by introducing a tissue-specific or inducible promoter for the brassinosteroid specific glycosyltransferase or a nucleic acid encoding a heterologous glycosyltransferase

Group III, claim(s) 36, drawn to a method for producing glycosylated brassinosteroids.

The inventions listed as Groups I-III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

The special technical feature of Group I that is not required by any of the other groups is considered to be a method that employs a heterologous brassinosteroid glycosyltransferase.

The special technical feature of Group II that is not required by any of the other groups is considered to be a method that employs a nucleic acid encoding a heterologous brassinosteroid glycosyltransferase and tissue specific/ inducible promoter.

The special technical feature of Group III that is not required by any of the other groups is considered to be a method of producing glycosylated brassinosteroid.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Medina A. Ibrahim whose telephone number is (571)272-0797. The examiner can normally be reached on M-TH 8:00 am to 5:30 PM, and every other Friday from 8:00 AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anne Marie Grunberg can be reached on 571-272-0975. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MAI
10/26/2008

/Medina A Ibrahim/
Primary Examiner, Art Unit 1638